

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36330 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- BANMANKHI District- Purnia

Vivek Raj @ Pappu Kumar, Son of Surya Narayan Yadav alias Suresh Yadav,
resident of Village Mohaniya Bazar Ward No. 2, P.S. Banmankhi, District-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ram Prawesh Kumar, Advocate
For the State	:	Mr. Panchanand Pandit, APP
For the Informant	:	Mr. Vijay Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$
of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case due to
petty family dispute. The case is triable by the Magistrate. The
petitioner has relied upon the judgment of this Court in the case



of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors.
Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Purnea in connection with Banmankhi P.S. case No.70 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

Narendra/-

(Sudhir Singh, J)

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